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ABSTRACT

Inadequate public transportation in rural areas has long been a major impediment for rural residents' access to health care, jobs, and community activities and services. Particularly disadvantaged in transportation are the rural poor, elderly, and youth. This report highlights the benefits to be gained by passage of the Commission on Rural Resources' bill, which authorizes the integration of school buses and services into coordinated rural public transportation programs. The bill does not require school districts to participate in such programs, but only authorizes them to do so if they wish. The bill would allow school districts to: (1) rent or lease vehicles to a services coordinator or not-for-profit organization; (2) provide drivers to such organizations; (3) contract to store, maintain, and repair vehicles owned by these organizations; and (4) contract with them to provide a portion of a coordinated rural public transportation program. The bill also requires that school districts be reimbursed for the full amount of costs and expenses incurred in leasing buses or providing services. The report addresses concerns about confusion to motorists, competition with private bus services, and loss of state transportation aid. It also describes existing demonstration programs and the potential benefits of such a system. (DHP)

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"School districts that operate their own vehicles are encouraged to consider whether participating in their county's coordinated service program could make more effective use of their vehicles." (New York State Rural Public Transportation Coordination Assistance Program 1987 Annual Report)

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Integrating School Transportation Resources into Coordinated Rural Public Transportation Programs:

A Proposal to Increase Access to Community Services For Transportation-Disadvantaged Persons

New York State Legislative Commission on Rural Resources
Senator Charles D. Cook, Chairman

April 1988

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April 1988

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INTEGRATING SCHOOL TRANSPORTATION RESOURCES INTO COORDINATED RURAL PUBLIC TRANSPORTATION PROGRAMS:

A PROPOSAL TO INCREASE ACCESS BY RURAL TRANSPORTATION DISADVANTAGED PERSONS TO NEEDED SERVICES

APRIL 1988

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April 15, 1988

To the Readers of this Report:

This report highlights the benefits that stand to be gained by passage of the Commission on Rural Resource bill which authorizes the integration of school buses and services into Coordinated Rural Public Transportation Programs.

Inadequate public transportation in rural areas has long been a major impediment to access to health care, jobs and community activities and services for rural New Yorkers. This hits hardest at the rural poor, elderly, youth and other transportation-disadvantaged groups.

The "school bus" bill, as it is commonly referred to, is a logical extension of the Rural Public Transportation Coordination Assistance Program enacted in 1986. It is designed to take advantage of the extensive, and often underutilized transportation resources belonging to school districts in order to fill the broad gaps that exist in rural transportation.

In the present climate of ever increasing demands for services and tightening budgets, integration of school buses and services into such coordinated rural public transportation programs offers a cost-effective means of improving access by rural transportation-disadvantaged persons to needed services.

It should be stressed that the bill does not require school districts to participate in such programs, it merely authorizes them to do so if they so wish. Furthermore, the bill requires that school districts be reimbursed for the full amount of costs and expenses incurred in leasing buses or providing services.

While there continues to be wide-spread support for the concept of utilizing school transportation resources in rural public transportation programs, some concerns relating to the bill have been raised. By providing further clarification of the bill's purposes and provisions, it is hoped that this report will go a long way toward allaying those concerns.

Senator Charles D. Cook
Chairman
Legislative Commission
on Rural Resources

The Proposed Bill

Legislation (S.3575--D, A.5564--D) introduced at the request of the Commission on Rural Resources authorizes school districts to participate more fully in the rural public transportation program enacted in 1986. Presently, school districts can participate in this program only to the extent they are able to rent or lease vehicles to certain non-profit organizations. The primary benefit of integrating school district transportation resources into coordinated rural public transportation programs would be increased access by rural transportation-disadvantaged persons to needed services using existing facilities.

Most notably, the bill will allow the sizable transportation assets owned by school districts to be incorporated into rural public transportation coordination programs that are now being set up as a result of new legislation enacted into law in 1986. By permitting the integration of school transportation resources and services into rural public transportation systems, essential transportation services would be delivered in a cost-effective manner and the state would get a greater return on its investment. In 1987, state aid to school districts for transportation services for students was over $650 million.

The Commission bill amends the transportation and education laws to enable school districts to: 1) rent or lease vehicles to a services coordinator, 2) rent or lease vehicles to any not-for-

profit organization providing transportation services for children participating in the agricultural child care program, 3) provide drivers when renting or leasing vehicles to non-profit organizations or a service coordinator, 4) contract to store, maintain, and repair vehicles owned by non-profit organizations or a services coordinator, and 5) contract with a services coordinator to provide a portion of a coordinated rural public transportation program. Provision is also made for the development of demonstration projects that would promote the use of these new features.

Incorporating the extensive transportation resources of school districts into rural public transportation systems is a concept that has been used successfully elsewhere. For instance, the state of Florida instituted a coordinated transportation program for its transportation disadvantaged in 1979, and last year an estimated 800,000 Floridians rode public school buses to educational facilities, health care centers, shopping malls, congregate meal sites and other locations that met social and recreational needs. (Florida Council on the Transportation Disadvantaged, p. 16)

The Florida program has been immensely popular at the local level and has produced much "goodwill" for school boards. This has been particularly true with respect to the older citizens who had previously cited the lack of any benefits from taxes paid for school purposes. (Ibid., p. 9)

In New York, the Department of Transportation, in its 1988 Guidelines for Developing a Coordinated Public Transportation Service in Rural Counties, includes the following:

> School districts that operate their own vehicles are encouraged to consider whether participating in their county's coordinating service program could make more effective use of their vehicles.

Addressing Issues Related to the Proposal

Following the introduction of S.3575--A, A.5564--A, the Commission on Rural Resources held an exploratory meeting in October of 1987 to review the bill with commercial bus contractors, education and transportation officials, rural schools, the Association of Towns and the Association of Counties, and legal and financial representatives. Most in attendance felt it was worthwhile to explore the possibility of using school buses as a portion of a coordinated transportation plan in rural areas. Still, some issues were raised regarding the bill (see Appendix for notes on the meeting). These included: concern that using yellow school buses for purposes other than transporting students might cause confusion to motorists, concern by private bus operators that permitting school districts to participate in coordinated rural public transportation programs would put private bus operators at a competitive disadvantage, and concern that school districts would lose state transportation aid by participating in such programs.

On the surface these concerns are certainly legitimate and ought to be raised. In reality, however, they are unsubstantiated as will be shown below.

The first concern, that using yellow school buses to transport passengers other than students will cause confusion on the part of motorists, is really a non-issue because these buses are already used to transport passengers other than school children. Section 1502 of the Education Law authorizes school districts to rent or lease vehicles which are otherwise used for the transportation of school children to: 1) any senior citizens center or organization that is recognized and funded by the office for the aging, 2) any nonprofit incorporated organization serving senior citizens, 3) any nonprofit incorporated organization serving the physically or mentally handicapped, 4) any not-for-profit organization that provides recreation, youth services, or the operation of playgrounds or neighborhood recreation centers, or 5) any municipal corporation.

School districts are authorized to rent or lease vehicles to the above entities during any time such vehicles are not needed for the transportation of school children. S.3575--D, A.5564--D merely authorizes school districts to also rent or lease vehicles to a services coordinator, or to a not-for-profit organization providing transportation services for children participating in the agricultural child care program.

The bill further authorizes school districts to directly provide a portion of a rural public transportation coordination assistance program. For example, one crucial need that has been identified is better transportation service to programs which provide day-care to children of agricultural workers. Some of these children could be picked up along regular school bus routes, entailing little additional cost.

One possible solution regarding confusion on the part of motorists is simply to require them to stop whether a school bus is discharging students, or any other passengers. In any event, school districts are presently empowered to rent or lease yellow school buses to be used for purposes other than transporting school children and S.3573--D, A.5564--D merely expands this authority.

The N.Y. School Bus Contractors Association and the Bus Association of New York State have voiced their opposition to provisions in S.3575--D, A.3575--D which authorize school districts to contract to store, maintain, and repair vehicles owned by particular nonprofit organizations, and to provide any portion of a coordinated public transportation services plan. Despite one of the criteria of the rural public transportation assistance coordination program being "the protection of the rights of privately operated public transportation providers," commercial transportation providers feel the proposed bill would further put them at a competitive disadvantage. This is not the

purpose of the bill, nor is it a likely outcome. However, in order to obviate the concern of private bus contractors, the bill has been further amended to ensure that unfair competition between private and public providers of transportation services does not occur.

The most recent revision of the bill restricts school districts in counties which have appointed a services coordinator pursuant to the Rural Public Transportation Coordination Assistance Program, to contracting with such a services coordinator to store, maintain and repair any motor vehicles of, and provide driver training for, the operators of any motor vehicles owned and operated by the organizations specified in Section 1502 of the Education Law. This ensures that these services are being provided as part of a coordinated plan to provide more efficient and/or effective transportation services in a rural county. In addition, the bill requires that the consideration for renting or leasing vehicles, or contracting to provide repair, maintenance or storage services be not less than the full amount of incurred costs and expenses in order that provision of school buses and related services would not amount to a de-facto taxpayer subsidy.

The amended bill also sets up transportation enhancement demonstration programs. Technical assistance from the Department of Transportation is made available to school districts and counties for the purpose of demonstrating the advantages of

utilizing school district transportation resources and services to provide more efficient and effective transportation services in rural counties. The Commissioner of Transportation is prohibited, however, from undertaking such a demonstration program unless he finds no private operator ready, willing, and able to provide such services and equipment under reasonable terms and conditions. Furthermore, the bill requires a committee to be set up in order to determine whether the terms and conditions offered by the private operator are reasonable under the circumstances.

The final issue to be addressed is the concern expressed that school districts would lose state transportation aid when participating in the rural public transportation coordination assistance program. According to the Transportation Aid Office within the State Department of Education, school districts would not lose state aid for transportation by contracting to provide services as part of a rural public transportation coordination assistance program, or to private not-for-profit organizations.

A school district receives state transportation aid based on allowable expenses in regard to transporting students. School districts would therefore continue to receive state transportation aid for the expenses they are currently incurring in providing transportation services for students. They simply would not receive aid on expenses incurred in providing other services.

The example below shows how entering into a contract to provide transportation services does not affect a school district's state transportation aid. Say, for instance, that a school district is currently providing $1000 worth of state-aid approved transportation related services for students. The school district receives approximately 90%, or $900, from the state for these services. The local share is approximately 10%, or $100. If the school district contracts to provide services to a local rural transportation services coordination program, the expenses incurred in providing those services are not eligible for state aid. Say the expense incurred by the school district in providing the service is $200. Consequently, as required by S.3575--D, A.5564--D, the school district must charge the local coordinated transportation program $200 for providing the services. The school district's total expenses incurred for the year would now be $1200. $200 would be deducted from this total as not being eligible for state aid, the remaining $1000 in expenses would be eligible for state aid as before.

Benefits to be Derived from Implementation of the Proposal

There remain sound reasons for allowing school districts to participate in rural public transportation coordination programs. Historically, commercial providers of transportation have found it economically infeasible to provide the type of demand-responsive transportation services needed in rural areas to

provide better access to health care, employment, education, recreation, shopping, and public service facilities. The inability of the private sector to provide such needed transportation services in rural areas has resulted in a transportation component being built into most social or human service programs. Today there exists a myriad of mini-transportation systems as each different agency or program has one or two cars, vans---perhaps buses, to transport their particular program clients.

These organizations have limited opportunities to obtain vehicle maintenance and repairs in rural areas, often having to wait weeks while the local service station tracks down a needed part and makes the repairs. School districts in such areas have well-trained personnel familiar with the maintenance and repair of multi-passenger vehicles. Often school districts have the only qualified bus mechanics in the area. Moreover, school districts have the special tools and equipment to maintain and repair buses, and maintain an inventory of parts.

Where private school bus contractors exist, there would not be a problem with competition since the local agencies or public transportation coordinators could contract directly with the private operators for transportation services. However, there are many areas where such private sector providers do not exist. Therefore, it makes sense from a policy standpoint to allow a school district to provide these services if provision of such

services will not adversely affect the ability of the district to provide educational services to its school children.

Moreover, because S.3575--D, A.5564--D requires that school districts be reimbursed for the full costs and expenses incurred in providing any portion of a coordinated transportation plan, or in renting or leasing vehicles to not-for-profit organizations, the school districts will not lose money by contracting to provide such services. In fact, the bill might have a secondary effect of spreading the cost of purchase, maintenance and storage over more users, and ultimately save on school taxes.

Rural school officials have stated at hearings held by the Commission that school buses tend to rust out before they wear out. Increased utilization of school buses therefore is expected to be cost-effective.

Another benefit of this legislation would be the provision of more full-time jobs to school bus drivers, who are already trained to high standards of traffic safety and special passenger needs. This in turn would help school districts in the recruitment of bus drivers. Finally, as mentioned previously, providing such services generates "good will" for local school boards.

The Rural Public Transportation Coordination Assistance Program as amended in 1987 is designed to improve the access of

rural transportation- disadvantaged persons to health care, employment, education, shopping, recreation sites and public services. In a period of increasing demands for transportation services and tightening budgets, this is achieved through coordination of existing transportation resources and services.

Demonstration programs have produced positive savings and enhanced services. In the Chemung County pilot project which got underway in 1986 the appointed services coordinator, Chemung Transit, has "taken over" the transportation services of five human services agencies in Chemung County and reports that service to the agencies is reaching more people than before, and that each agency is enjoying cost savings of at least 30%. Moreover, the service is being provided with fewer vehicles than were previously needed. Five vehicles previously purchased by human services organizations have been freed up for use elsewhere.

Coordination of existing services and more intensive use of facilities has thus allowed Chemung County to increase access to transportation services for rural clientele while at the same time eliminating duplicative services and achieving cost-savings. S.3575--D, A.5564--D expands this program and presents an opportunity for still greater cost-savings and increased public transportation services in rural areas by authorizing school districts to contract with a services coordinator to rent or lease vehicles, to provide a portion of needed bus service, and

to perform maintenance of vehicles, which is a critical need.

Another rural demonstration program conducted by the Madison-Oneida BOCES has shown the positive benefits of performing school bus maintenance on a regional basis. It is anticipated similar cost savings and enhanced access to needed maintenance services would be promoted through the bill proposed by the Commission on Rural Resources.

Selected References

Bureau of State Aided Programs, New York State Education Department, Transportation Aid Handbook, July 1986.

Florida Council on the Transportation Disadvantaged, Florida's Approach to Coordinated Transportation for the Disadvantaged, January 1988.

Michael J. Greene, The Council of State Governments, Coordinating Rural Transit: Stretching State Resources for Better Service, 1987.

New York State Department of Transportation, New York State Rural Public Transportation Coordination Assistance Program Annual Report for 1987 (draft), January 1988.

New York State Rural Public Transportation Coordination Assistance Program, see Article 2F of the Transportation Law as added by Chapter 895 of the Laws of 1986 and amended by Chapter 896 of the Laws of 1986.

STATE OF NEW YORK

LEGISLATIVE COMMISSION ON RURAL RESOURCES

The Commission on Rural Resources was established by Chapter 428 of the Laws of 1982, and began its work February, 1983. A bipartisan Commission consisting of ten state legislators from the Senate and Assembly, its primary purpose is to promote a state-level focus and avenue for rural affairs policy and program development in New York State. The Commission seeks to pool different knowledges and skills, to narrow areas of controversy, and to broaden areas of agreement. It is believed the enhancement of rural quality of life and institutions will lead to a healthier, more prosperous state.

The Commission provides policymakers with a unique capability and perspective from which to anticipate and approach large-scale problems and opportunities in the state's rural areas. In addition, legislators who live in rural New York are in the minority, with 31 out of 211 members. They look to the Commission for assistance in fulfilling their responsibilities to constituents, primarily in the areas of policy and program development, problem solving, legislative oversight, and funding.

The Commission seeks to amplify the efforts of others who are interested in such policy areas as human services and community life; health care; education; business, economic development, and employment; agriculture; environment, land use, and natural resources; transportation; community facilities, housing, and community renewal; and government and management. Clearly, the state's most vital rural resource is its human capital.

The Commission believes that the tendency to break up into narrow pressure groups can be a grave, disintegrating force in state policy and program development for rural New York. The number one challenge is to get diverse groups to work together, and to combine their efforts to the end that the people of this state may always have the highest possible quality of life, cultural, and material standards of living, without sacrificing their freedom. It is believed that only through joint democratic efforts can policy and programs be devised and administered for the state's rural areas which support and sustain each other in the public interest.

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